

REGULAR MONTHLY MEETING OF THE STEPHENS CITY TOWN COUNCIL
Tuesday, May 3, 2011
7:30 p.m.

Mayor Joy Shull called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

Council member Grayson offered the invocation.

Roll call showed the following present:

Vice Mayor Linden A. Fravel, Jr., Councilmember Bowers, Council member Martha Dilg, Council member Joseph Grayson, and Council member Joseph Hollis
Council member James Harter absent

Staff present: Mike Kehoe, Town Manager; Brian Henshaw, Town Planner/Asst. Town Manager; Scott Baber, Police Department Officer; Kim Uttenweiler, Town Treasurer; Dianne MacMillan, Town Clerk

Press: None

Guests: Brenda Fristo, Candidate for Commission of the Revenue; Shelby White and Stephanos Diamantis – Sherando High School students from the Service Learning Project

AGENDA

On motion by Council member Dilg the Agenda for May 3, 2011 was adopted as presented by consensus.

PUBLIC COMMENTS

Mayor Shull opened the floor for public comments on any topic not on the agenda.

Brenda Fristoe introduced herself to Council and others present as a candidate for Frederick County Commissioner of the Revenue. She said she had 38 years experience in taxation and eight years experience in local government including finance. She said she was pro-business and could give the Board of Supervisors a picture of the surrounding areas' taxation practices and provide taxpayers someone to listen to their concerns. Ms. Fristoe asked for voters' support and announced that there would be a debate with the current incumbent on June 23 at the Public Safety Building at 7:00 pm. Mayor Shull thanked Mrs. Fristoe.

PRESENTATION

Mayor Shull said that the Sherando High School Service Learning Project would give a presentation and she asked Mr. Henshaw to introduce the topic. Mr. Henshaw explained that there were only two students to do the presentation tonight. He said that due to the evening

meeting of the Town Council the students were actually a month ahead so they worked harder to be prepared earlier. He said it had been great working with them. He said the topic they worked on was a communications study and the hot topic was social media. He added that they would be presenting from the standpoint of being consultants to the town.

Shelby White and Stephanos Diamantis introduced themselves and stated that their task over the past three months had been assessing the communication between the Town and its citizens by using a survey. They presented a power point of their findings. They said they did get publicity through newspapers and TV3 for the project and its goals. Their charts indicated the age groups of the respondents. The results were that overall there was good communication between the Town and its citizens. Their findings indicated that more information could be gotten out through TV3, a Face-book page more instantaneously.

Their recommendation was that to reach a younger demographic and an audience that uses Face-book pages, the Town could set up its own Face-book page. Another option would be for other organizations to maintain a Face-book page for the town. It would be good for posting events and communicating other important functions of the Town. The students explained making a Face-book page – a pro was that was simple and easy to maintain and update, there was no cost, easy, fast and reliable. If the Town ran it the Town would have control and could change it at any time to keep it current. A con it that there is little control over posted comments but if it is monitored, negative comments are easily deleted and can be blocked. There could also be an opportunity to differentiate between things that are different for citizens of the Town and non-citizens. They explained that the surveys were sent out with water bills (about 800) and about 10% only 75 were returned back. They had hoped to get more surveys back. If there had been a Face-book page the survey could have been on line for more responses. Mayor Shull said that Face-book would appeal to the younger generation and the older citizens seemed to be the ones who responded to the survey in paper format.

Mr. Henshaw said the positive aspect was they discovered the communication level with citizens is very high. Their findings also indicated that more citizens could be reached in different ways. Council member Hollis asked if the results were skewed by having older responders and how many younger people actually sit and watch local TV. How would the website interact with Face-book – could you set up links to the website? Mr. Henshaw said that would be possible. He added that the website was not antiquated and the feedback from the older demographic indicated that they do go online but usually once a day – Face-book would be current and it would be possible to send a post that water bills are due on a date which would result in less spending on mailing letters. Vice Mayor Fravel said that a website is more static and Face-book is interactive.

Mayor Shull thanked the students and congratulated them on a job well-done. The Council members concurred.

MINUTES – April 5, 2011 Regular Meeting

Council member Hollis moved for approval of the minutes of April 5, 2011 and the motion carried with the following vote:

Recorded Vote:

Vice Mayor Fravel	-	Aye	Nay - None
Council member Bowers	-	Aye	Abstain - None
Council member Dilg	-	Aye	Absent-Council member Harter
Council member Grayson	-	Aye	
Council member Hollis	-	Aye	

TREASURERS REPORT – Kim Uttenweiler

Mayor Shull announced that the members had the Treasurer’s report for information and asked if there were any questions. There being none, the Treasurer’s report was accepted as presented.

POLICE REPORT – Charles Bockey, Chief

Mayor Shull announced that the members had Chief Bockey’s police report for information and asked if there were any questions. Mr. Henshaw said that Officer Baber who had been present had been called away but he could answer questions. There were none and the police report was accepted as presented.

ACTION AGENDA

A. Town Code Chapter 22, Article I,II,III – Repeal, Revise, Re-enact – Final Reading

The Mayor asked the Clerk to read the ordinance by title only for the second and final reading. The Clerk read “An Ordinance to Repeal, Revise and Re-enact Chapter 22, Articles I, II and III of the Code of the Town of Stephens City”.

Council member Hollis moved that the Council of the Town of Stephens City approved the second and final reading of Chapter 22, Article I, II and III to repeal, revise and re-enact. The motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Fravel	-	Aye	Nay - None
Council member Bowers	-	Aye	Abstain - None
Council member Dilg	-	Aye	Absent - Council member Harter
Council member Grayson	-	Aye	
Council member Hollis	-	Aye	

B. Town of Stephens City Comprehensive Plan Update 2010-2030

Mayor Shull announced the next item as the proposed adoption of the Comprehensive Plan Update. Town Planner, Brian Henshaw said this was carried over after last month's Public Hearing. He advised that all text had been brought up to date to match the color shadings on the maps and none of the text contradicted anything from the Joint Land Use Plan. He said this update continued to build upon a strong Comprehensive Plan from 2005. He added that compared to other jurisdictions this was more of an update than a rewrite including no major revisions. Vice-Mayor Fravel asked if there was still census data to add. Mr. Henshaw said the full data would be available in 2012 and the Comprehensive Plan would be amended at that time while maintaining the five-year time line: it would still be referred to as the 2010-2030 Comprehensive Plan.

Vice Mayor Fravel moved to approve the Comprehensive Plan update as presented and the motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Fravel	-	Aye	Nay - None
Council member Bowers	-	Aye	Abstain - None
Council member Dilg	-	Aye	Absent – Council member Harter
Council member Grayson	-	Aye	
Council member Hollis	-	Aye	

COMMITTEE REPORTS

A. Finance Committee – Joseph Hollis, Chair

Council member Hollis reported that there was no action to be taken but the Committee was continuing to work on the budget and it would be completed by the next meeting.

B. Public Works Committee – Joseph Grayson, Chair

Council member Grayson reported no meeting was held.

C. Personnel Committee – Martha Dilg, Chair

Chairman Dilg reported that the committee reviewed job descriptions and discussed using discretionary funds for salary adjustments pending approval from the finance committee when the budget was finalized.

D. Public Safety Committee – Ronald Bowers, Chair

Council member Bowers reported the committee was in the process of preparing a driver's handbook for the Town drivers as a safety item. He added that they were also in the process of preparing safety policies and a health manual for the Town of Stephens City since Towns and military installations are now under OSHA regulations.

Council member Bowers reported that there had been "jake-brake" complaints from residents in Stephens Landing which was to be referred to VDOT. He added that there was a

sign at one time but that was removed by VODT. Mr. Henshaw said he had some updated information on that subject. He said that the sign was taken down in 2003 by VDOT since engine brakes are a safety feature on trucks. He said if they are required not to use these brakes it could be a safety issue. He added that any roads maintained by VDOT across the state ban these signs. Mr. Henshaw said that this information was shared with the Stephens Landing HOA. He suggested getting with the businesses that own the trucks to remind the drivers not to use these in that area of Fairfax Street. Council member Bowers asked why they would need to use “jake-brakes” in a 25 mph zone. Council member Hollis said it might be a place to ask for additional police enforcement.

Council member Bowers reported that the situation at the intersection of Mulberry and Locust surfaced again. He said that the Chief and a State Police sergeant visited the site. Mr. Kehoe said that while they were at the location there were two instances and both were recognized as a failure to pay attention. He said that the State Police officer recommended stop bars at the intersection instead of a three-way stop.

E. Parks and Recreation Commission – Ronald Bowers, Chair

Council member Bowers reported that the war memorial concept was in the hands of a professional construction estimator and the Commission should have a completed estimate by next council meeting. He recommended that mulch be placed around the playground equipment as is required. He added they would also be checking into grants for the war memorial.

Mayor Shull commented on the mulch asking that they consider a composite instead of the wood mulch. Most locations use a different material because the wood mulch causes splinters. Mr. Kehoe said he would compare prices on different types of material.

F. Water/Sewer Committee – Jim Harter, Chair

Mr. Kehoe noted that the committee report was attached for information. He reported that the Town received a rate increase from Frederick County Sanitation Authority effective July 1st consisting of a 31% rate increase or 50 cents per thousand gallons for wastewater. He said that the Finance Committee was looking at how to pass the cost along. He said that the increase would most likely be a \$1.00 per thousand gallons, currently being reviewed and would be presented at the June Council meeting. Mayor Shull asked if the budget public hearing would include this increase. Mr. Kehoe said they needed to be adopted concurrently. Town Council by consensus set a Public Hearing for June 7 for the proposed budget and the proposed increase in water/wastewater fees.

PLANNER’S REPORT – Brian Henshaw

Mr. Henshaw reported receiving positive feed-back from Mike Chandler’s budget workshop and decided to book him for July 5 prior to the Council meeting and invite Middletown also. He said Mr. Chandler was offering a very reasonable fee and he would approach Middletown to share in the cost. He said they would be the same as last time with dinner and a transition into the workshop. Mr. Henshaw said Mr. Chandler would continue the workshop on budget preparation by looking at adopted budgets to get a results oriented budget.

Mr. Henshaw reported he would be wrapping up work with the Sherando students. He noted that the two students had presented all the sections usually divided up among the four participating students.

Mr. Henshaw reported that he had been recertified as Erosion and Sediment Control Administrator for the Town. He added that this was a program to continue to build upon for future development.

He also reported having a good meeting with Ben Weber of Master Media working on a partnership for events to utilize the Newtown Commons for more activities. He said further updates would be relayed through the Planner's report.

TOWN MANAGERS REPORT – Mike Kehoe, Town Manager

1. Mr. Kehoe reported that Officer Scott Baber had successfully passed his annual probation period and was a permanent officer for the Town of Stephens City.
2. Mr. Kehoe told the Council that the Mulberry Terrace project was still to be completed.
3. He reported that the school project is still ongoing as to replacement of the windows on the lower level. They were still waiting on the engineer and architect.
4. Mr. Kehoe reported that the Mulberry Street sidewalk project (a ten-year project) was completed and closed by VDOT.
5. He advised that the 19th Newtown Heritage Festival would be held at the end of the month. He said the Committee was gearing up for this by weekly meeting every Thursday night.

Vice Mayor Fravel asked if there had been any word from the Discovery Museum. Mr. Kehoe said he had not heard anything but the old school is still open as a site.

Council member Hollis asked if The Discovery Museum was pleased with the turnout for their anniversary celebration. Mr. Henshaw said they were very pleased and felt like they discovered a new site. He said they have been encouraged to pass this information onto other organizations that might use the Commons. He said the Town would love to have it in use every weekend. He noted that the Commons has quality facilities and the proposed new pavilion and stage work would make it even more inviting. He said the Commons would have a lot of return for the Town. He noted there was also a successful HOP IN

Council member Hollis added that thanks to the Town crew that does a great job of keeping it up, it always looks really great and gets your attention – the crew does a wonderful job.

6. Mr. Kehoe reported that as part of the budget process he had called the voter registrar and asked what the costs would be for the next election. He noted that it was a very

expensive election last time. Stephens City is now in Newtown Precinct but still voting at Aylor School for general elections. Mr. Kehoe said that many local jurisdictions in order to consolidate costs are going to November elections. He said that it would be beneficial if did the costs would drop in half and result in a greater voter turnout. He said this would require a charter change and it would have to be submitted for consideration at next year's General Assembly. He said this could be considered for future elections.

Vice Mayor Fravel asked if it was required by law to use electronic voting or could a jurisdiction use paper ballot. Mr. Kehoe said he didn't know if they even have paper ballots anymore. There was discussion about how to keep the voters for the Town separate. Mr. Kehoe added that Middletown was considering moving the elections to fall.

COUNCIL COMMENTS/CALENDAR

Mayor Shull asked for any changes to the calendar. Hollis asked to hold the Finance Committee on May 11 at 5:00 pm. Mr. Henshaw noted that the Planning Commission would be meeting May10.

MOTION FOR CLOSED SESSION

Motion by: Council member Joseph Grayson

I move that the Council of the Town of Stephens City enter Closed Session pursuant to Section 2.2-3711.A.7 of the Code of Virginia, as amended, for the purpose of consultation and briefings by staff members pertaining to the actual pending litigation between the Town of Stephens City and the County of Frederick where such briefings in an open meeting would adversely affect the litigation and negotiating posture of the Town.

VOTE:

Aye – Vice Mayor Mayor Fravel
Council member Bowers
Council member Dilg
Council member Grayson
Council member Hollis

Nay - None
Abstain - None
Absent – Council member Harter

Council member Hollis moved to reconvene Open Session and the motion passed.

CERTIFICATION OF CLOSED MEETING
RESOLUTION

Date: May 3, 2011

Motion By: Council member Grayson

WHEREAS, the Council of the Town of Stephens City, Virginia has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712.D of the Code of Virginia requires a certification by this Council that such Closed Meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED that the Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council.

RECORDED ROLL CALL VOTE:

Aye – Mayor Shull

Vice Mayor Fravel

Council member Bowers

Council member Dilg

Council member Grayson

Council member Hollis

Nay - None

Absent – Council member Harter

Abstain - None

Dianne L. MacMillan, CMC, Town Clerk

There was no action taken as a result of Closed Session.

There being no further business, Council member Grayson moved to adjourn at 8:55 p.m. and the motion carried.

Joy B Shull, Mayor

Dianne L. MacMillan, CMC, Town Clerk